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Los Angeles, L.P., MPT of Olympia, LLC,
MPT Operating Partnership, L.P., and
Medical Properties Trust, Inc.*

UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

OLYMPIA HEALTH CARE LLC,
ALECTO HEALTHCARE SERVICES,
LLC, MPT OF LOS ANGELES, L.P.,
MPT OF OLYMPIA, LLC, MPT
OPERATING PARTNERSHIP, L.P.,
MEDICAL PROPERTIES TRUST,
INC., SHERMAN/GRAYSON
HOSPITAL, LLC, ALECTO
HEALTHCARE SERVICES
SHERMAN, LLC, LAXMAN REDDY,
MATTHEW WILLIAMS, and
JEREMY REDIN,

Defendants.

Case No. 2:23-cv-01783-ODW-PVC

**SECOND STIPULATION FOR
CONTINUANCE OF SCHEDULING
CONFERENCE**

Current Scheduling
Conference Date: Oct. 2, 2023
Proposed New Date: Nov. 20, 2023

1 Plaintiff United States of America (“Plaintiff”) and Defendants MPT of Los
2 Angeles, L.P., MPT of Olympia, LLC, MPT Operating Partnership, L.P., and
3 Medical Properties Trust, Inc. (the “MPT Defendants” and, together with the
4 Plaintiff, the “Parties”) by and through their undersigned counsel, hereby stipulate
5 and agree as follows:

6 WHEREAS, Plaintiff filed the Complaint [Docket No. 1] (“Complaint”) on
7 March 9, 2023 and sent the Complaint to the MPT Defendants with a Notice of
8 Lawsuit and Request for Waiver of Service of Summons on March 13, 2023;

9 WHEREAS, the MPT Defendants returned an executed Waiver of Service of
10 Summons on March 13, 2023, which was filed with the Court on May 5, 2023
11 [Docket No. 14];

12 WHEREAS, based on the MPT Defendants’ waivers of service, the MPT
13 Defendants’ initial responsive pleading deadline was May 12, 2023;

14 WHEREAS, the Parties held a meet and confer call on May 4, 2023,
15 regarding the MPT Defendants’ intent to file a motion to dismiss the Complaint as
16 against them pursuant to Fed. R. Civ. P. 12(b)(6);

17 WHEREAS, following their initial meet and confer call, the Parties stipulated,
18 pursuant to Rule 8-3 of the Local Civil Rules, to extend the time for the MPT
19 Defendants to answer or otherwise respond to the Complaint to June 9, 2023
20 [Docket No. 15], and subsequently entered into additional stipulations to further
21 extend such deadline [Docket Nos. 20, 27 & 32], the most recent of which extended
22 the deadline to October 23, 2023;

23 WHEREAS, the Parties have continued to exchange information and remain
24 engaged in discussions regarding a potential resolution that would either obviate the
25 MPT Defendants’ potential motion to dismiss or narrow the scope of the issues in
26 dispute;

27 WHEREAS, as set forth in the Parties’ joint status report filed on July 31,
28 2023 [Docket No. 29] and stipulation to further extend MPT Defendants’ time to

1 respond to the complaint filed on August 30, 2023 [Docket No. 31], (i) progress
2 continues to be made in resolving Plaintiff's claims against the MPT Defendants
3 without the need for further litigation, and (ii) if this dispute is resolved – as
4 anticipated – without the need for further litigation, additional time will likely be
5 needed to obtain necessary approvals by the appropriate officials at the Centers for
6 Medicare and Medicaid Services of the Department of Health and Human Services
7 and the Department of Justice;

8 WHEREAS, the Parties believe good cause exists to further continue the
9 Scheduling Conference because conferring and preparing a Joint Rule 26(f) Report
10 and appearing for a Scheduling Conference would distract from the Parties' efforts
11 to consensually resolve the dispute;

12 WHEREAS, this stipulation is made in good faith and not for the purpose of
13 delay or for any other improper purpose; and

14 WHEREAS, no discovery cut-off date, pretrial conference date, or trial date
15 has been set, and two prior continuances of the Scheduling Conference have been
16 granted.

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1 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED
2 between the Parties, by and through their counsel of record, as follows: that the
3 deadlines under the Court's August 9, 2023 Order [Docket No. 30] setting the date
4 for the Scheduling Conference are extended as follows:

- 5 a. The Scheduling Conference is reset for November 20, 2023 at
6 1:30 p.m.
7 b. The Parties must meet at least 21 days in advance of the Scheduling
8 Conference to prepare a Joint Rule 26(f) Report for the Court.
9 c. The Parties must submit the Joint Rule 26(f) Report no less than seven
10 days before the Scheduling Conference.

11 IT IS SO STIPULATED.

12 Dated: September 8, 2023

KTBS LAW LLP

14 By: /s/ Samuel M. Kidder
15 Samuel M. Kidder (CA Bar No.
16 284015)

17 Attorneys for Defendants MPT of Los
18 Angeles, L.P., MPT of Olympia, LLC
19 MPT Operating Partnership, L.P., and
20 Medical Properties Trust, Inc.

21 Dated: September 8, 2023

UNITED STATES OF AMERICA

22 By: /s/ John R. Kresse
23 John R. Kresse
24 Trial Attorney
25 United States Department of Justice

26 Attorneys for United States of
27 America
28

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ATTESTATION

Pursuant to Local Civil Rule 5-4.3.4(a)(2)(i), I attest that all other signatories listed, and on whose behalf this filing is submitted, concur in the filing's content and have authorized the filing.

Dated: September 8, 2023

KTBS LAW LLP

By: /s/ Samuel M. Kidder
Samuel M. Kidder (CA Bar No.
284015)

Attorneys for Defendants MPT of Los
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